

REMARKS

I. Reconsideration of the objections the specification and drawings is respectfully requested.

Applicants have amended the specification as follows:

At page 8, line 20, after "20.", insert -- As can readily be seen by referring to the figures and for ease of discussion herein, the reference numerals 20 and 120 will be generally used to describe features common to the inner slots 20' and 120' and the outer slots, 20 and 120.--

At page 8, lines 22-23, delete " 20 and 20' ", and insert -- 20' and 20 --.

At page 9, line 7, after "360", insert -- \div --.

At page 11, line 4, delete "1" and insert -- 3--.

At page 12, line 8, delete "120 and 120' ", and insert --120' and 120 --.

At page 12, line 20, after "360", insert -- \div --.

Applicants have amended the drawings as follows:

The reference numerals 20, 20', 120 and 120' have been clearly identified and are now consistent with the specification as amended.

The reference numerals 30, 34, 130 and 134 have been added.

The drawing sheets are labeled Replacement Sheets.

Applicants submit that no new matter is being added and that such amendments to the specification and drawings overcome the Examiner's objections. The Examiner is respectfully requested to withdraw these objections.

II. Reconsideration of the rejections of claims 5, 12 and 25 under U.S.C. §112, first and second paragraphs, and the rejection of claims 28-30 and 32 under U.S.C. §112, second paragraph, is respectfully requested.

Applicants have amended claims 5, 12 and 25 to recite that the number of oil localization slots is determined by a formula comprising: 360 divided by a desired number of connected sections to give a desired number of oil localization slots in the friction

material.

Applicants have amended claim 28 to describe further including forming the predetermined length of friction material into a circular shape before applying the predetermined length of friction material to at least one side of the friction member.

Applicants have amended claim 29 to describe further including applying a supply of adhesive material to at least one of: a portion of one side of the friction member, or to a portion of the friction material, before applying the oil localization slotted friction material to the side of the friction member.

Applicants have amended claim 30 to describe further including heating the friction member with the oil localization slotted friction material applied for a suitable time

Applicants submit that such amendments to the claims overcome the Examiner's rejections and the Examiner is respectfully requested to withdraw these rejections of the claims.

III. Reconsideration of the rejection of claims 1, 2, 6-11, 13-15, 18-24, and 26-32, under 35 U.S.C. §§102(a and e), over the Collis et al. US2003/0047411 A1 (now US Pat. No. 6,601,864) reference and the rejection of claims 3, 4, 5, 12, 16, 17 and 25 under 35 U.S.C. §103(a), over the Collis et al. '411 A1 reference is respectfully requested.

Independent claims 1, 14 and 27 have been amended to recite a friction material comprising a plurality of connected sections and first and second sets of oil localization slots. Each connected section is defined by adjacent oil localization slots in the friction material. The first set of oil localization slots radiate from an inner edge of the friction material and the second set of oil localization slots radiate from an outer edge of the friction material. Each oil localization slot has opposing sides that defines a reservoir which retains fluid in the oil localization slot when the friction material is formed into a circular shape

Support for such amendment is found in the specification at page 8, lines 20-25, at page 11, lines 5-7, and at page 12, lines 5-10, and by referring to the Figures 1-4.

The Collis et al. reference is commonly owned by the Assignee herein, BorgWarner,

Inc. The Collis et al. reference describes a different type of friction material than is claimed herein. The present invention, as shown in the Figures, and now described in the amended independent claims shows a friction material having oil localization slots on both inner and outer edges of the friction material. There is no teaching or suggestion in the Collis et al. reference of such placement of slots.

Applicants note, in particular, the features of one embodiment, as set forth in claim 8, where the oil localization slot has a retention side and a wiping side for retaining the fluid in the friction material and where the retention side and the wiping side of the oil localization slot define a groove. The groove is formed when the friction material is formed into the circular shape. The groove has a width that varies along the length of the sides of the groove and is determined by an offset distance D1 from opposing sides of the oil localization slot. This feature is also not shown in any of the cited references.

Therefore, the present invention, as described and shown in the specification and figures and as set forth in the claims, is patentably distinct and the Examiner is respectfully requested to withdraw these rejections of the claims.

III. New claims 33 further describe the invention and are patentably distinct.

The claims describe further features of the present invention, as follows:

Claim 33 recites features where each oil localization slot terminates at an apex the apex having a distal end which terminates at a preferred distance (H) from either the outer edge or the inner edge of the friction material, depending on which slot is being examined. The distance H defines a bridge section of the friction material and the bridge section extends between the distal end of the apex and either the outer edge or the inner edge.

Claim 34 recites features where the distance H of one slot 20 extends beyond an adjacent distance H' on an adjacent slot 20'.

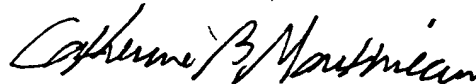
Claim 35 recites features where the apex has at least one of a substantially rounded, or circular, oval, elliptical and the like, shape.

Support for such new claims is found in the specification at pages 9-10 and 13.

Applicants submit that the present invention is patentably distinct over the cited references. In view of the amendments to the drawings, the specification and claims and the arguments presented herein, the Applicant submits that the present invention is patentably distinct and a favorable action is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Catherine B. Martineau".

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